

STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION TRANSPORTATION DIVISION

Elizabeth F. Byrne
Bureau Chief

July 14, 2003

NOTICE

ILLINOIS INTERSTATE BROKERAGE

Effective January 1, 1988, the Illinois Commerce Commission will start accepting applications for Brokers Licenses as provided for in various sections of the Illinois Commercial Transportation Law (Chapter 95 ½ - 18c). Copies of Sections 1104(1) and 5101 et seq are attached for your information and guidance. Also attached you will find applicable regulations covering brokering. You are receiving this notice as our records indicate you have previously made inquiry about becoming a licensed broker of intrastate motor carrier shipments.

To assist you in making a decision on obtaining a Brokers License, we are attaching an application form. We suggest you thoroughly analyze the attachments prior to making an application and submitting your filing fee. (Filing Fees Are Not Refundable)

The filing fee is \$50.00. If you have previously submitted a partial payment of this fee, please call this to our attention when forwarding your application and credit will be issued accordingly.

Upon receipt of your properly completed application and fee payment, we will expedite the required legal process as rapidly as possible. You will be notified later of additional requirements such as submission of insurance or bonding, legal publication, hearing requirements, etc. Do not take action on these items unless so advised by the Commission staff.

Violations of the Illinois Commercial Transportation Law and regulations thereunder may subject the violator to a class C misdemeanor. In addition, civil penalties may be imposed of up to \$1,000 per violation. It is therefore suggested that you promptly file the application form.

If you have any additional questions, please write or call us at (217) 782-4654.

Sincerely,

Elizabeth F. Byrne
Transportation Division

Brokers License No. _____

Trust No. _____

ILLINOIS COMMERCE COMMISSION
527 EAST CAPITOL AVENUE
SPRINGFIELD, IL 62701

BROKER'S TRUST FUND AGREEMENT
(Pursuant to 625 ILCS 5/18c-5105)

KNOW ALL MEN BY THESE PRESENTS, that we (full legal name and trade name) _____ of (city) _____, (state) _____, as Trustor (hereinafter called Trustor), and (financial institution name) _____ of (city) _____, (state) _____, a trust company created and existing under the laws of Illinois as Trustee (hereinafter called Trustee) hold and firmly bind ourselves and our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Trustor is or intends to become a Broker pursuant to the provisions of the Illinois Commercial Transportation Law, and the rules and regulations of the Illinois Commerce Commission relating to insurance or other security for the protection of motor carriers and shippers, and has elected to file with the Illinois Commerce Commission such a Trust Fund Agreement as will ensure financial responsibility and the supplying of transportation subject to said Act in accordance with contracts, agreements or arrangements therefore, and

WHEREAS, this Trust Fund Agreement is written to assure compliance by the Trustor as a licensed Property Broker of Transportation by motor vehicle as provided for in various sections of the Illinois Commercial Transportation Law, and the rules and regulations of the Illinois Commerce Commission, relating to insurance or other security for the protection of motor carriers and shippers, and shall inure to the benefit of any and all motor carriers or shippers to whom the Trustor may be legally liable for any of the damages herein described.

NOW, THEREFORE, the Trustor and Trustee, to accomplish the above, agree as follows:

1. Trustee agrees that payments made pursuant to this Agreement will be made exclusively and directly to shippers or motor carriers that are parties to contracts, agreements or arrangements with Trustor.
2. Trustee agrees that the protection afforded to shippers and motor carriers hereby will continue until any and all claims made by shippers or motor carriers for which Trustor may be legally liable have been settled or until the funds deposited by Trustor pursuant to this Agreement have been exhausted, whichever comes first.
3. The parties hereto acknowledge and certify that said Trustee shall exclusively manage the security and trust fund, as herein set forth, and shall have legal title to the security and trust fund, pursuant to the terms and conditions as set forth in this Agreement. Further, the parties hereto, and the said Trustee, as evidenced by their signatures to this agreement, acknowledge and certify that (a) said Trustee, neither has nor expects to have any interest, financial, proprietary, or otherwise, whatsoever, in Trustor; and (b) said Trustor, neither has nor expects to have any interest, financial, proprietary, or otherwise, whatsoever, in Trustee.
4. Trustee acknowledges the receipt of the sum of Ten Thousand Dollars (\$10,000.00), to be held in trust under the terms and conditions set forth herein.
5. Trustee may, within its sole discretion, invest the funds comprising the corpus of this trust fund consistent with its fiduciary obligation under applicable law.
6. Trustee shall pay, up to a limit of Ten Thousand Dollars (\$10,000.00), directly to a shipper or motor carrier any sum or sums which Trustee, in good faith, determines that the Trustor has failed to pay and would be legally liable by reason of Trustor's failure to perform faithfully its contracts, agreements or arrangements for transportation by authorized motor carriers, made by Trustor while this agreement is in effect, regardless of the financial responsibility or lack thereof, or the solvency or bankruptcy, of Trustor.
7. In the event that the trust fund is drawn upon and the corpus of the trust fund is a sum less than Ten Thousand Dollars (\$10,000.00), Trustor shall, within thirty (30) days, replenish the trust fund up to Ten Thousand Dollars

(\$10,000.00) by paying to the Trustee a sum equal to the difference between the existing corpus of the trust fund and Ten Thousand Dollars (\$10,000.00).

8. Trustee shall immediately give written notice to the Illinois Commerce Commission of all lawsuits filed, judgments rendered, and payments made under this trust agreement and of any failure by Trustor to replenish the trust fund as required herein.
9. This agreement may be cancelled at any time upon thirty (30) days written notice by either the Trustee or Trustor to the Illinois Commerce Commission with a concurrent copy of the other. The thirty (30) day notice period shall commence upon actual receipt of a copy of the notice of cancellation at the Illinois Commerce Commission's Springfield office. The Trustee and/or Trustor specifically agrees to file such written notice of cancellation.
10. All sums due the Trustee as a result, directly or indirectly, of the administration of the trust fund under this agreement shall be paid directly by Trustor and in no event shall said sums be paid from the corpus of the trust fund herein established.
11. Trustee shall maintain a record of all financial transactions concerning the Fund, which will be available to Trustor upon request and reasonable notice and to the Commission upon request.
12. This agreement shall be governed by the laws of the State of Illinois.

This trust fund agreement is effective the ____ day of _____, 20____, 12:01 a.m. standard time at the address of the Trustor as stated herein and shall continue in force until terminated as herein provided.

Trustee shall not be liable for payments of any of the damages herein before described which arise as the result of any contracts, agreements, undertakings, or arrangements made by the Trustor for the supplying of transportation after the cancellation of this Agreement, as herein provided, but such cancellation shall not affect the liability of the Trustee for the payment of any such damages arising as the result of contracts, agreements, or arrangements made by the Trustor for the supplying of transportation prior to the date such cancellation becomes effective provided written notice of a claim arising therefrom is received by Trustee before such effective date.

IN WITNESS WHEREOF, the said Trustor and, Trustee have executed this instrument on the ____ day of _____, 20____.

TRUSTOR

TRUSTEE

Full Legal Name

Financial Institution

Trade Name

Street Address

Street Address

City, State and Zip Code

City, State and Zip Code

Telephone Number

Telephone Number

By (Signature and Title)

By (Signature and Title)

Witness

Witness



STATE OF ILLINOIS
Illinois Commerce Commission
TRANSPORTATION DIVISION
527 EAST CAPITOL AVENUE
SPRINGFIELD, ILLINOIS 62701

IL Broker No. _____

Bond No. _____

BROKER'S SURETY BOND UNDER SECTION 625 ILCS 5/18c-5105 OF THE ILLINOIS COMMERCIAL TRANSPORTATION LAW

Know all men by these presents, That we _____, of
(Name of Broker exactly as recorded with the Illinois Commerce Commission)

(City) (State) as

PRINCIPAL (hereinafter called Principal), and _____
(Name of Surety)

a corporation created and existing under the laws of the State of _____ (State) as SURETY (hereinafter called Surety) are held and firmly bound unto the State of Illinois in the sum of \$10,000, for which payments, well and truly to be made, we bind ourselves and our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal is or intends to become a Broker pursuant to the provisions of the Illinois Commercial Transportation Law and the rules and regulations of the Illinois Commerce Commission relating to insurance or other security for the protection of carriers and shippers, and has elected to file with the Illinois Commerce Commission such a bond as will insure financial responsibility and the supplying of transportation subject to Chapter 5 of said law in accordance with contracts, agreements, or arrangements therefore; and

WHEREAS, this bond is written to assure compliance by the Principal, as a licensed Broker of Transportation of Property by motor vehicle, with Chapter 5 and the rules and regulations of the Illinois Commerce Commission, relating to insurance or other security for the protection of carriers and shippers, and shall inure to the benefit of any and all carriers or shippers to whom the Principal may be held legally liable for any of the damages herein described.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall pay or cause to be paid to carriers or shippers by motor vehicle any sum or sums for which the Principal may be held legally liable by reason of the Principal's failure to faithfully perform, fulfill and carry out all contracts, agreements and arrangements made by the Principal for the supplying of transportation of property subject to the Illinois Commercial Transportation Law under the license issued to the Principal by the Illinois Commerce Commission while this bond is in effect, then this obligation shall be void.

The liability of the Surety shall not be discharged by any payment or succession of payment hereunder, unless and until such payment or payments shall amount in the aggregate to the penalty of the bond, but in no event shall the Surety's obligation hereunder exceed the amount of said penalty. The Surety agrees to furnish written notice to the Illinois Commerce Commission forthwith of all suits filed, judgments rendered, and payments made by said Surety under this bond.

This bond is effective the _____ day of _____, 20____, 12:01 a.m., standard time at the address of the Principal as stated herein and shall continue in force until terminated as hereinafter provided. The Principal or the Surety may at any time terminate this bond by written notice to the Illinois Commerce Commission at its office in Springfield, Illinois, such termination to become effective thirty (30) days after actual receipt of said notice by the Commission. The Surety shall not be liable hereunder for the payment of any of the damages hereinbefore described which arise as the result of any contracts, agreements, undertakings, or arrangements made by the Principal for the supplying of transportation after the termination of this bond as herein provided, but such termination shall not affect the liability of the Surety hereunder for the payment of any such damages arising as the result of contracts, agreements or arrangements made by the Principal for the supplying of transportation prior to the date such termination becomes effective.

IN WITNESS WHEREOF, the said Principal and Surety have executed this instrument on the _____ day of _____, 20____

PRINCIPAL

SURETY

Name _____

Name _____

By _____
Signature & Title

By _____
Signature & Title

Witness _____

Witness _____

524-279

Only corporations may qualify to act as surety and they must establish to the satisfaction of the Illinois Commerce Commission legal authority to assume the obligations of surety and financial ability to discharge them.

(625 ILCS 5/Ch 18C Sub 1 Art I heading)
ARTICLE I. SHORT TITLE, LEGISLATIVE INTENT, STATE
TRANSPORTATION POLICY, AND DEFINITIONS

(625 ILCS 5/18c-1104) (from Ch. 95 1/2, par. 18c-1104)

Sec. 18c-1104. Definitions. The following terms, when used in this Chapter, have the hereinafter designated meanings unless their context clearly indicates otherwise:

(1) "Broker" means any person other than a motor carrier of property, that arranges, offers to arrange, or holds itself out, by solicitation, advertisement, or otherwise, as arranging or offering to arrange for-hire transportation of property or other service in connection therewith by a motor carrier of property which holds or is required to hold a license issued by the Commission.

(625 ILCS 5/Ch 18C Sub 5 Art I heading)
ARTICLE I. BROKERS

(625 ILCS 5/18c-5101) (from Ch. 95 1/2, par. 18c-5101)

Sec. 18c-5101. Unlawful Activities. It shall be unlawful for any person:

(1) To act as a broker without a license in good standing issued to it by the Commission;

(2) To act as a broker in violation of any provision of this Chapter, Commission regulations and orders, or any other law of this state;

(3) To act as a broker of any shipment which the person owns or in which the person has a beneficial interest;

(4) To act as a broker of any shipment over which the person is able to exercise control because the person acting as a broker owns or controls the shipper, the shipper owns or controls the person acting as a broker, or there is a common ownership or control of the two;

(5) Which is also a broker to act or represent itself as a shipper in dealing with a common or contract carrier of property by motor vehicle;

(6) To act as a broker in connection with transportation by a person other than an authorized common or contract carrier of property by motor vehicle, unless the carrier does not require authorization to transport the shipment;

(7) To act as a broker in connection with transportation at other than lawfully applicable rates for the motor carrier service;

(8) To act as a broker in any name other than that which appears on its Commission license;

(9) To act as a broker without fully disclosing its brokering status;

(10) To provide transportation service with regard to freight for which it was the broker;

(11) To receive any compensation for brokering services other than a fee assessed to the shipper or, alternatively, to the carrier, in addition to freight charges at lawfully applicable rates for the motor carrier service;

(12) To advertise, offer, or give anything of value to a shipper, consignor, or consignee, other than inexpensive promotional items; or

(13) Act as a broker of household goods.

(Source: P.A. 84-796.)

(625 ILCS 5/18c-5102) (from Ch. 95 1/2, par. 18c-5102)

Sec. 18c-5102. Licensing of Brokers. (1) Procedures for Issuing Brokers' Licenses. The Provisions of Article II of Sub-chapter 4 of this Chapter which govern the form and manner of filing of applications for authority, notice to be given to the public, and hearing, shall likewise govern the issuance of a brokers' license.

(2) Standards for Review of Brokers' License Applications. The Commission shall issue a license authorizing a person to act as a statewide broker of general commodities where:

(a) The person has properly filed an application on forms prescribed by the Commission;

(b) The person has remitted the filing fee prescribed by the Commission;

(c) The person has filed proof of bond or insurance as required by Commission regulations; and

(d) The Commission has determined that the person is fit, willing, and able to;

(i) Act as a statewide broker of general commodities as authorized by the license; and

(ii) Comply with provisions of this Chapter, Commission regulations and orders. Otherwise, the application shall be denied.

(3) Suspension or Revocation of Brokers' Licenses. If at any time the Commission determines after notice and hearing that the holder of a broker's license is not fit, willing, or able to continue to act as a broker, the Commission may suspend or revoke the license.

(Source: P.A. 84-796.)

(625 ILCS 5/18c-5103) (from Ch. 95 1/2, par. 18c-5103)

Sec. 18c-5103. The Fitness Standard. A person shall be rebuttably presumed unfit to act or to continue to act as a broker if:

(1) The person has violated any provision of this Chapter, Commission regulations or orders, or any other law governing its activities as a broker;

(2) The person has violated any fiduciary or other obligation with regard to transmittal of monies, bills, or other matters entrusted to it as broker; or

(3) The person is applying for a broker's license and any other person the ownership, management, or control of which is or was in substantial identity with the applicant has committed an act of the type described in (1) or (2), above. The Commission may consider any relevant facts in determining whether a person is fit to act or to continue to act as a broker, or whether any presumption which arises under this Section has been rebutted.

(Source: P.A. 84-796.)

(625 ILCS 5/18c-5104) (from Ch. 95 1/2, par. 18c-5104)

Sec. 18c-5104. Transfer of Brokers' Licenses. (1) Transfer of Brokers' Licenses Permitted. A broker's license may be transferred, with Commission approval, under the conditions specified in this Section and in accordance with such regulations as the Commission may prescribe.

(2) Procedures for Transferring Brokers' Licenses. The provisions of Article III of the Sub-chapter 4 of this Chapter that define a transfer and which govern the form and manner of filing of applications for approval of the transfer of a motor carrier of property license, notice to be given to the public, and hearing, shall likewise govern the transfer of a broker's license.

(3) Standards for Review of Transfer Applications. The Commission shall grant an application for authority to transfer a broker's license where:

(a) The application was properly filed on forms prescribed by the Commission;

(b) The person has remitted the filing fee prescribed by the Commission; and

(c) The transferee is fit, willing, and able under the terms of Section 18c-5103 of this Chapter.

Otherwise, the application shall be denied.

(Source: P.A. 84-796.)

(625 ILCS 5/18c-5105) (from Ch. 95 1/2, par. 18c-5105)

Sec. 18c-5105. Bonds and Insurance. The Commission may prescribe for brokers such requirements regarding bonds, insurance, and the terms of coverage thereof, as the Commission determines are needed to protect carriers, shippers, consignors, and consignees of freight with respect to which brokering service is provided. Unless otherwise provided by the Commission, such requirements shall be the same as are applicable to property brokers under the Interstate Commerce Act and regulations adopted thereunder. (Source: P.A. 84-796.)

(625 ILCS 5/18c-5106) (from Ch. 95 1/2, par. 18c-5106)

Sec. 18c-5106. Records of Brokers. (1) Records to be Kept by Brokers. A broker shall keep a record of each transaction which shows:

(a) The name, address, and license number of the motor carrier or carriers;

(b) The name and address of the shipper, consignor, and consignee;

(c) The Bill of Lading or freight bill number;

(d) The amount of compensation received by the broker for brokering service, and the identity of the payor;

(e) A description of any non-brokering service provided in connection with each shipment or other activity, the amount of compensation received for such non-brokering service, and the identity of the payor;

(f) The amount of any freight charges collected by the broker, the date on which such charges were paid over to the carrier, and the amount of payment to the carrier; and

(g) Any other information which the Commission may prescribe.

(2) Maintenance of Records. Records required to be kept under this Section shall be maintained at an office within the State of Illinois, unless maintenance of an office outside the State of Illinois is expressly authorized by the Commission, and shall be maintained for a period of 3 years after the date on which the shipment was delivered.

(3) Accounting. Each broker which engages in other business shall maintain accounts so that the brokering portion of its business or businesses is segregated from its other activities.

(Source: P.A. 84-796.)

(625 ILCS 5/18c-5107) (from Ch. 95 1/2, par. 18c-5107)

Sec. 18c-5107. Brokers and Motor Carrier Applications. A Broker shall not have standing to support any application for motor carrier of property authority.

(Source: P.A. 84-796.)

ILLINOIS COMMERCE COMMISSION
Transportation Division

INSTRUCTIONS for Completing
Broker's License Application and accompanying Applicant's Fitness Statement

1. The Commissions' Broker's License Application and Applicant's Fitness Statement forms must be used. Applications for name change ONLY (no change in ownership or control), address change, correction of scrivener's error and other amendments which do not alter the scope of authority conveyed in an existing license, should be submitted on the Commission's Non-Substantive License Amendment Application form.
2. The application must be filled out carefully, completely, and legibly in ink or typed.
3. If any space on the forms is insufficient write "See Attached Sheet" in the space provided and attach a plain, white sheet with that portion of your answer which would not fit on the form. ON the attached sheet, identify the question to which each answer applies. If more than one attached sheet is used, number attached sheets consecutively.
4. A filing fee in the amount of \$50 must accompany all Broker's License Applications. The fee must be paid by check, money order, cashier's check, VISA or MasterCard. Payments must be made out to the Illinois Commerce Commission.
5. A balance sheet must be filled out with the application. The balance sheet must reflect the most current calendar or fiscal year.
6. If the applicant is a corporation, the corporation must be qualified to do business in Illinois under the Illinois Business Corporation Act.
7. If the applicant is not domiciled in Illinois, a resident of Illinois must be designated as the applicant's local agent for service of process in compliance with Section 18c-1801 of the Illinois Commercial Transportation Law (ICTL). Correspondence from the Commission, lawsuits and other processes can be served on the applicant by service upon the local agent.
8. In order to qualify for a broker's license, you must demonstrate that you are fit, willing and able to provide brokerage service in compliance with applicable laws. The applicant's fitness form attached to the application must be completed and filed with the application.
9. Applicant must publish notice of the application one time in the Official State Newspaper, and may be required to publish further notice. If you have properly filed and completed the application, you will receive a letter from the Commission authorizing you to publish notice. The notice form to be completed and mailed to the Official State Newspaper, together with the name and address of the newspaper will be enclosed with the letter. You must secure a Certificate of Publication from the Official State Newspaper and promptly file a copy with the Commission.
10. A hearing on a Broker's License application is generally not required; the application will be considered on the basis of written submissions. However, if a hearing is deemed necessary by the Commission, or if any interested person intervenes in opposition to your application and is granted leave to intervene, an oral hearing will be required.
11. The application must be signed and dated by the applicant in person, if the applicant is an individual; by each partner if a partnership; or by an officer of the corporation. Attached documents must be likewise signed.
12. If the application is granted, the license cannot be issued in the name of the applicant/broker until proof of bond coverage in compliance with Commission regulations has been filed. Proof must be in the form of a Broker Surety Bond or Broker's Trust Fund Agreement signed and filed by the applicant and surety/trustee.
13. An original and two copies of the completed forms must be mailed or delivered to the Commission offices at the following address:

Illinois Commerce Commission
Transportation Division
527 East Capitol Avenue
Springfield, Illinois 62701

SUMMARY OF BROKER REGULATIONS

1. Unauthorized Operations Prohibited

Intrastate broker operations which are not expressly authorized by a license issued by the Commission are a violation of the Law.

2. Transfer of Licenses

Once a license is issued to a broker, it cannot thereafter be transferred to another person, or operated by another person, without the express written approval of the Commission. Moreover, ownership or control of the broker which holds the license cannot be changed without the express written approval of the Commission.

3. Insurance

You must file proof of continuous insurance or bond coverage with the Commission before beginning operations. Proof must be in the form of a Broker Surety Bond or Broker's Trust Fund Agreement. The Commission's minimum insurance requirements are the same as the Federal Motor Carrier Safety Administration's requirements for interstate brokers.

4. Record-Keeping

Section 18c-5106 of the Illinois Commercial Transportation Law establishes requirements for records to be kept by brokers for each brokering transaction.

5. Other Requirements

Other requirements for brokers are set forth in Sections 18c-5101 through 18c-5205 of the Illinois Commercial Transportation Law.

6. General Obligation to Comply with Statutes and Regulations

You should familiarize yourself with the requirements of the Illinois Commercial Transportation Law and Commission regulations. Compliance with these requirements is a condition of continued operation in Illinois. Each violation of the Law or Commission regulations is a misdemeanor. In addition, the Commission may impose civil sanctions including suspension or revocation of licenses, civil penalties of up to \$1,000 per violation, and other sanctions.

ILLINOIS COMMERCE COMMISSION
Transportation Division
527 East Capitol Avenue
Springfield, Illinois 62701
Phone: (217)782-4654

BROKER'S LICENSE APPLICATION

MC Number _____
(To be entered by the Commission)

I. IDENTITY OF APPLICANT

Full Legal Name: _____

Trade Name (if applicable): _____

Street Address: _____

City, State and Zip : _____

County: _____ Telephone Number: _____

Applicant is a (check one):

_____ Sole Proprietorship (Individual) _____ Partnership (attach list of partners) _____ Corporation

State of Incorporation: _____ Date of Incorporation: _____

II. INFORMATION ABOUT APPLICANT

Are you licensed as a broker with the Federal Motor Carrier Safety Administration (FMCSA)?

If yes, please enter your FMCSA Motor Carrier Number

Please supply the name of your FMCSA insurance bond number (trust number) and the name of the insurance bond company (trustee)

Do you hold any type of authority license from the Illinois Commerce Commission (ILCC), such as a common authority (Public Carrier Certificate) or a certificate of registration?

If yes, please enter your ILCC number

Are you affiliated by common control, in any manner, with a motor carrier(s)?

If yes, please attach a list of all such carriers together with their FMCSA and ILCC authority numbers, where applicable.

III. LIST OF ATTACHMENTS

_____ A. Filing Fee of \$50 (required)

_____ D. Articles of Incorporation

_____ B. Balance Sheet (required)

_____ E. Certificate of Authority to do Business as a Foreign Corporation (if incorporated outside of Illinois)

_____ C. Applicant's Fitness Statement
(required, see attached form)

_____ F. Local Agent for Service of Process Designation
(if out of state)

IV. ATTORNEY OR OTHER CONTACT

If correspondence and other communication regarding this application should be with your attorney or any other particular person, please identify that person here.

Name: _____

Law Firm: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number: _____

V. SIGNATURE

Your signature on this application constitutes your verification that the information contained herein is true and correct.

You are entitled to a hearing on your application if you so desire. However, you may waive hearing to expedite consideration of your application. Your signature on this form will constitute a waiver of hearing in the event that the application is GRANTED. No application will be denied without the opportunity for hearing.

Applicant Signature

Date

Position or Title

Process Agent for Non-Illinois Residents Only (A Public Official is not acceptable)

Name

Street Address

_____, Illinois _____
City Zip Code

ILLINOIS COMMERCE COMMISSION
Transportation Division

Applicant's Fitness Statement
To accompany Broker's License Application Filed by

Name of Applicant

The applicant represents that the following information, submitted as part of the Application for a Broker's License and verified under oath by the signature thereon, is true and correct.

1. Applicant is fit, willing and able to provide the brokering service authorized by the license sought in this application; applicant has sufficient knowledge of the brokering business and experience therein, and either possesses or can obtain sufficient facilities, equipment, personnel and financial resources to provide the service.
2. Applicant will, if the application is approved, provide a reasonable continuous and adequate service as authorized by the license.
3. Applicant understands that it is under an obligation, before conducting any operations under a license issued to it by the Commission, to obtain a copy of the Illinois Commercial Transportation Law and Commission regulations or orders; to become familiar with same; and to consult with legal counsel or Commission staff where necessary. Applicant is representing, by the filing of this application, that it has done so or will do so before conducting any operations.
4. Applicant does not owe the State of Illinois any fee or tax due for the privilege of operating a motor vehicle over the public roads of this state, or any penalties for failure to pay such fees or taxes in a timely manner; or if any fee, tax or penalty is owed an agreement to pay the delinquent monies has been entered into between the applicant and the Attorney General, which agreement is not in default as attested to by the certification of the Attorney General attached to this statement.
5. Applicant (check one) _____ has _____ has not been convicted during the past three years of a breach of fiduciary responsibility, or any other offense which might bear on its fitness. If so, explain the date and nature of the offense, and state any sanction imposed.
6. Applicant (check one) _____ is _____ is not the holder of a motor carrier of property license issued by the Commission. If so, attach copy.
7. Applicant (check one) _____ has _____ has not at any time been the holder of a license from the Commission or the Federal Motor Carrier Safety Administration which was suspended or revoked. If so, explain the date of, and reason for, the suspension or revocation.

Signature

Date

Position or Title

Employer